

DRAFT 7/7/09

IOWAccess Advisory Council By-laws

ARTICLE 1. NAME

The name of this body shall be the IOWAccess Advisory Council, hereafter referred to as the IAC.

ARTICLE 2. PURPOSE

The IAC was established by the [Code of Iowa, §8A.221](#).

The IAC acts as an advisory council to promote and consider citizen-focused information technology projects, and services.

In its capacity as an advisory council, the IAC will work to create and provide a service to citizens of the state that will serve as a gateway for one-stop electronic access to governmental information, transactions, and services at state, county, or local levels. In this role, the Council accepts and reviews proposals for funding of electronic projects that benefit the citizens they serve.

More specifically, the IAC shall:

1. Using Concept Paper or Return on Investment submissions by applicable proposing sponsors, and ranking tools incorporated in the IAC Return on Investment analysis tools, provide periodic recommendations to the Director, Department of Administrative Services, as to the appropriateness of proposals for information technology projects that primarily benefit the citizens of Iowa by providing information and services normally achieved through more burdensome means.
 - a) As the IAC seeks to provide the highest benefit to its citizen audience, the Council supports projects with the widest range of use across numerous governmental entities. To that end, proposals for information technology projects will be classified into two categories, Enterprise and Agency-Specific:
 - 1) 50% of available IOWAccess funding shall be reserved for Enterprise project proposals, which will be considered before Agency-Specific proposals. Enterprise projects are those that can be readily shared with more than one governmental entity, with few license or platform restrictions.
 - 2) The balance of available IOWAccess funding shall be available for either Enterprise project proposals or for Agency-Specific proposals. Agency-Specific proposals are information technology projects in which the resulting software is either incompatible with existing software used at other agencies, or so particular to an agency that its portability to another agency would be inadvisable, impractical, or inefficient, as deemed by the Council.

[Section 1 to be discussed in context of overall review of project/prioritization process for Council.]

2. Review all IAC information technology outsourcing project proposals prior to issuance, and refer to the Technology Governance Board for its action, any projects that exceed the greater of a total cost of fifty thousand dollars or a total involvement of seven hundred fifty agency staff hours. *(See Malcolm's 6/24/09 E-mail explanation).*

3. **Review and** recommend to the technology governance board rates to be charged for access to and for value-added service performed through IOWAccess. *(Reworded to mirror statutory language with bold words as extra based upon 6/27 discussion to stress "review and recommend function of council).*
4. Develop a plan and process to make recommendations to Department of Administrative Services (DAS) for improvements to information technology projects, and to maximize the value of information technology investments by the state. *(See Malcolm's 6/24 E-mail explanation).*
5. Make recommendations to DAS regarding technology utility services to be implemented by DAS or other agencies. *(See Malcolm's 6/24 E-mail explanation).*
6. Work with the DAS Finance office to maintain the relevancy of the central budget, proprietary control accounts, and reimbursement funds to information technology.
7. Annually prepare a report to the Governor, the Department of Management, and the General Assembly regarding the total spending on technology for the previous fiscal year, the total amount obligated for the current fiscal year, and an estimate of the amount to be requested for the succeeding fiscal year for all agencies,
8. Review and recommend to the director of the Department of Administrative Services all rules to be adopted by the department that are related to IOWAccess. *(Added statutory language added per 6/24 discussion).*
9. IAC shall maintain a publically accessible website for sharing minutes, agendas, membership, proposals, budgetary information, and other documentation relevant to its purpose for access by citizens as well as the senate, house of representatives, legislative services agency and the office of the citizen's aide. *(Added per 6/24 discussion - statutory language).*
10. Advise DAS leadership on related issues as requested.

ARTICLE 3. GUIDING PRINCIPLES *(Article 3 re- numbered per priority discussion 6/24 conf. call).*

The IAC members will:

- 1) Ensure as a council that priority is given to serving the needs of the citizens of Iowa; *(Reworded per statutory language).*
- 2) Advocate for access to government information and services through lowAccess and for data privacy protection, information ethics, accuracy and security in lowAccess programs and services. IAC shall maintain a publically accessible website for sharing minutes, agendas, membership, proposals, budgetary information, and other documentation relevant to its purpose. *(Added this principle per 6/24 discussion - statutory language).*
- 3) Work for the common good of the State of Iowa;
- 4) Strive for quality decisions within timeframes provided;
- 5) Evaluate the Council's effectiveness;
- 6) Conduct themselves as professionals, including:
 - a. Treat each other respectfully;
 - b. Work to develop mutual trust; and
 - c. Practice active listening;
- 7) Openly share opinions and expertise.

ARTICLE 4. MEMBERSHIP

Section 1. The IAC is composed of 14 members appointed by the governor unless otherwise noted:

- 1) Five representatives of the primary customers of IOWAccess;

- 2) One representative of the Judicial Branch appointed by the chief justice;
- 3) One representative of the Executive Branch;
- 4) One person representing Iowa cities who is actively engaged in city administration;
- 5) One representative of Iowa counties who is actively engaged in county administration;
- 6) One representative of the Federal government; and
- 7) Four representatives of the citizens of Iowa.

(Section 1 reworked per 6/24 discussion to mirror statute more closely).

Section 2. Except for the representative from the Judicial Branch, members appointed pursuant to Section 1 are subject to confirmation by the senate and shall serve four-year staggered terms as designated by the governor.

Section 3. Members shall be reimbursed for actual and necessary expenses incurred in performance of the members' duties in accordance with Iowa Code Section 7E.6 and other currently applicable state law or rule. (Reworded per 6/24 discussion).

Section 4. Substitutes for absent members will not be allowed. Members may attend by telephone or other electronic means.

Section 5. Members can participate in voting if they are present at the meeting or attending the meeting by phone or by other electronic means.

Section 6. Each member is expected to attend and actively participate in meetings:

- 1) Iowa Code §69.15 Board members - nonattendance - vacancy. Any person who has been appointed by the governor to any board under the laws of this state shall be deemed to have submitted a resignation from such office if either of the following events occurs:
 - a. The person does not attend three or more consecutive regular meetings of such board. This paragraph does not apply unless the first and last of the consecutive meetings counted for this purpose are at least thirty days apart.
 - b. The person attends less than one-half of the regular meetings of such board within any period of twelve calendar months beginning on July 1 or January 1. This paragraph does not apply unless such board holds at least four regular meetings during such period. This paragraph applies only to such a period beginning on or after the date when the person takes office as a member of such board.
- 2) If such person received no notice and had no knowledge of a regular meeting and gives the governor a sworn statement to that effect within ten days after the person learns of the meeting, such meeting shall not be counted for the purposes of this section.
- 3) The governor in the governor's discretion may accept or reject such resignation. If the governor accepts it, the governor shall notify such person, in writing, that the resignation is accepted pursuant to this section. The governor shall then make another appointment to such office. Such appointment shall be made in the same manner and for the same term as in the case of other vacancies caused by resignation from such office.
- 4) As used in this section, "board" includes any commission, committee, agency, or governmental body which has three or more members.

Section 7. The DAS Information Technology Enterprise shall provide a staff person to take notes at the meetings and produce minutes that will be distributed to all members.

ARTICLE 5. OFFICERS AND STAFF

Section 1. The IAC annually shall elect a chair and vice chair from among the members of the council, by majority vote, to serve one-year terms.

ARTICLE 6. DUTIES OF OFFICERS

Section 1. The chairperson shall preside at all meetings of the IAC.

Section 2. The vice chairperson will assist the chairperson in the discharge of the chairperson's duties as requested and, in the absence or inability of the chairperson to act, shall perform the chairperson's duties.

ARTICLE 7. COMMITTEES

Section 1. Chair may authorize or dissolve committees as needed to complete the charter of the IAC.

Section 2. Individuals who are members of the IAC and individuals who are not members of IAC may be appointed by the chairperson to serve on committees.

Section 3. Committees shall organize themselves to be effective.

Section 4. Committees shall provide feedback to the chairperson and the IAC at the Council's request.

Section 5. Committees shall meet, discuss, study and/or resolve assigned issues as needed.

ARTICLE 8. MEETINGS

Section 1. Meetings of the council shall be held no less than **bi-monthly** for the one-year period following the appointment of all members. (Clarified as **bi monthly – every other month – per 6/24 discussion**).

Section 2. Agenda items shall be solicited from the members in advance of an upcoming meeting.

Section 3. An agenda, including those items requiring action, shall be provided five (5) days prior to the meeting to council members and customers. The agenda should also include any information necessary for discussion at the upcoming meeting.

Section 4. A simple majority of the members of the council, including vacant positions, shall constitute a quorum.

Section 5. Meeting shall comply with Iowa Code Chapters 21 and 22, the Iowa open meetings and open records laws.

ARTICLE 9. VOTING

Section 1. Each member has one vote. A quorum, as defined in Article 8, is required to vote on a matter and a majority vote of the quorum shall determine the outcome of the issue being voted upon.

Section 2. IAC bylaws may only be amended by a majority vote of all members.

ARTICLE 10. ADMINISTRATION

Section 1. The IOWAccess Manager, with the assistance of Information Technology Enterprise staff and others as deemed necessary, shall keep the official, current and complete books and records of the decisions, members, actions, meeting minutes, and obligations of the IAC.

Section 2. The IOWAccess Manager shall coordinate meeting notices and locations, and shall keep a record of names and addresses, including E-mail addresses, of the members of the IAC.

Section 3. Any member of the IAC may inspect all books and records for good purposes at a reasonable time and location.

Section 4. The IOWAccess Manager shall update the council on the current operational status of all pending and

dormant projects and account balances according to Article 11 below. (Language added per statute - 6/24 disc).

ARTICLE 11. ACCOUNTS

Section 1. The IOWAccess Manager shall maintain and regularly update a tracking of charges to project accounts and remaining balances of each account, plus an analysis of obligations and unobligated funds available. This analysis may include projections of revenue, spending, costs, and obligations for future periods.

Section 2. Dormant IOWAccess Projects may be adjusted in one of two ways:

- 1) IOWAccess projects that have not made requests for reimbursement of funds for at least 120 days may be closed by:
 1. Notifying the sponsoring agency of intent to close the account,
 2. Receiving concurrence from an agency representative empowered to provide the agency position on the intent to close the account,
 3. Authorizing DAS Finance to close the account and remit any balance to the IOWAccess Revolving Fund.
- 2) IOWAccess projects that have not made requests for reimbursement of funds and have not provided status reports for at least 180 days may be closed by:
 1. Notifying the sponsoring agency of intent to close the account,
 2. Closing the account by
 - a. Receiving concurrence from an agency representative empowered to provide the agency position on the intent to close the account, or
 - b. A vote to close the account by the Council if the sponsoring agency fails to reply,
 3. Authorizing DAS Finance to close the account and remit any balance to the IOWAccess Revolving Fund.

ARTICLE 12. PARLIAMENTARY PROCEDURE

Section 1. Meetings should be conducted using Robert's Rules of Order (Revised).

Section 2. The chairperson may elect to use the vice chairperson as parliamentarian.

Hello IAC by-law committee members,
Dick tells me you want some information from me:

1. Review all IAC information technology outsourcing project proposals prior to issuance, and refer to the Technology Governance Board for its action, any projects that exceed the greater of a total cost of fifty thousand dollars or a total involvement of seven hundred fifty agency staff hours.

The intent of this to clarify that any project using outsourced, i.e., non State, developers will be referred to the TGB if it is over 50K and or more than 750 hours (the current practice). This just documents a current practice.

4. Develop a plan and process to make recommendations to Department of Administrative Services (DAS) for improvements to information technology projects, and to maximize the value of information technology investments by the state.
5. Make recommendations to DAS regarding technology utility services to be implemented by DAS or other agencies.

These are two additional duties. The first is to take an active advisory role, beyond just considering projects. With the Council's overview of projects, they are in a good position to suggest cost-saving measures, consolidation, sharing, etc. that will lead to more efficiency. The second item is similar and needs an explanation. A utility service is a module that can enhance an application. Examples are the ePayment engine allowing credit card processing, an address validation service, a single online authorization and authentication service (Enterprise A&A), etc. Should a project come before the Council, the Council could suggest incorporation of a utility service; again with the same cost-saving/efficiency goal as #4.

Documents used at the Scope Analysis (Concept Paper) and the Planning/Execution (ROI) phases are online at: <http://iowaccess.iowa.gov/documents.shtml>